



All persons entering the Lassen County Superior Court shall submit to a non-invasive temperature screening process and shall not enter if a temperature of 100.4 degrees or higher is detected.

Any person having any symptoms of COVID-19 or any kind of illness should not come to Court, even if those persons are parties, counsel or witnesses. Instead, all persons are requested and strongly encouraged to attend the hearing remotely through the use of Court Call (1-888-88-COURT) and to appear telephonically whenever possible.

Any party to a proceeding, including a subpoenaed party, who chooses to appear by Zoom must give the court a minimum of two (2) court days' notice so the court may approve the request and send a Zoom invitation.

Any person who will not be appearing in court due to exhibiting COVID-19 symptoms or illness of any kind must immediately contact the court and their attorney, if they have representation, to inform the court of the non-appearance. The Court may be contacted by calling (530) 251-8205 ext. 124 and said persons shall provide his/her name, case number, calendar date and time on which he/she is ordered to appear, his/her attorney's name if represented, and his/her contact information – including phone number and mailing address. Upon receiving this information, the court will reschedule the court date. Absent approval by a Judge, only one such continuance will be granted by the Court when said person is exhibiting COVID-19 symptoms or other illness.

All persons entering the Courthouse are strongly encouraged to wear a protective face cover.

Social distancing within the Courthouse will be adhered to, both inside and outside the courtroom. A minimum distance of six feet apart is required.

### **Criminal Matters.**

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When parties arrive at the Courthouse, they are to wait in upstairs hallway of the Courthouse until called into the Courtroom by the Bailiff. On law and motion, preliminary hearing setting, and trial readiness calendars, the Bailiff will call groups of no more than five cases into the Courtroom at a time. After all cases in a group have been heard, the Bailiff will call the next

group of cases to be heard into the courtroom. Social distancing will be maintained. In any matter in which it is not essential to have a defendant present at a proceeding, Counsel for defendant is encouraged to utilize Emergency Rule of Court, Rule 5, waiving his/her client's personal appearance.

Pursuant to Emergency Rule of Court, Rule 3, notwithstanding any other law, Courts may conduct judicial proceedings and court operations remotely in order to protect the health and safety of the public, including court users, both in custody and out of custody defendants, witnesses, court personnel, judicial officers, and others. Any matter that can be conducted remotely by Zoom or CourtCall is preferred. Any party to a proceeding, including a subpoenaed party, who chooses to appear by Zoom must give the court a minimum of two (2) court days' notice so the Court may approve the request and send a Zoom invitation.

Any defendant intending to accept a plea offer must have their plea form completed before entering the courtroom. Any person who will be pleading remotely must have their plea form presented to the Court a minimum of thirty (30) minutes prior to the start of the scheduled calendar. All pleas entered remotely must first be approved by the judge accepting the plea as the judicial officer may require the defendant to be personally present for entry of plea.

### **COMPLIANCE WITH THE SPEEDY TRIAL ACT**

Criminal jury trials and hearings have been set and/or rescheduled by the Court in response to the COVID-19 pandemic.

If a party believes that his/her trial or hearing has been set or rescheduled to a date, that is in excess of what the party believes is an allowable time frame for a speedy trial, taking into consideration Penal Code §1382, in combination with the Emergency Orders issued by the Chief Justice of the California Supreme Court during the COVID-19 pandemic, the party or counsel must notify the Court to request that the case be advanced to a date that is at least ten court days prior to the date the party or attorney believes is the last date for a speedy trial.

Failure to contact the Court to lodge an objection to the scheduled date and request an earlier date will be deemed to be consent to the date set by the Court.

### **Criminal Matters - Department 1**

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In an effort to comply with social distancing, the number of cases on each calendar will be limited. To address the high number of cases filed with the Court, additional calendars are being scheduled to address the issue.

#### Misdemeanor Arraignment Calendar

Monday	8:00 am - 9:59 am	Not to exceed 20 cases
	10:00 am - 11:59 am	Not to exceed 20 cases
Friday *	8:00 am - 9:59 am	Not to exceed 20 cases
	1:00 pm - 2:59 pm	Not to exceed 20 cases
	3:00 pm - 4:30 pm	Not to exceed 20 cases

#### Misdemeanor Law and Motion / Trial Setting / Trial Readiness

Monday	1:00 pm - 2:59 pm	Not to exceed 20 cases
	3:00 pm - 4:30 pm	Not to exceed 20 cases
Friday *	8:00 am - 9:59 am	Not to exceed 20 cases
	1:00 pm - 2:59 pm	Not to exceed 20 cases
	3:00 pm - 4:30 pm	Not to exceed 20 cases

(\* Friday misdemeanor calendars may contain various proceedings on calendar, including but not limited to arraignments, law and motion, trial setting, trial readiness, etc.)

#### Infraction and Misdemeanor Clear Warrant Calendar

Monday at 8:00 am

Friday at 1:00 pm

## Infraction and Misdemeanor Add-On Calendar

Friday                      10:00 am - 11:59 am    Not to exceed 20 cases

Any person requesting placement on an add-on calendar will be placed on an upcoming Add-On Calendar for a Friday at 10:00 am. Upon making the request, the requesting party shall sign a promise to appear pertaining to the scheduled add-on date and time provided by the clerk.

## Felony Matters - Post Preliminary Hearing

Tuesday                    8:30 am - 9:59 am    Not to exceed 15 cases

10:00 am - 11:59 am    Not to exceed 15 cases

Thursday                   1:00 pm – 2:59 pm    Not to exceed 15 cases

3:00 pm – 4:30 pm    Not to exceed 15 cases

## Felony Matters – Pre-Preliminary Hearing

Wednesday                8:30 am - 9:59 am    Not to exceed 15 cases

10:00 am - 11:59 am    Not to exceed 15 cases

1:00 pm – 4:30 pm    Preliminary Hearings

Thursday                    8:30 am - 9:59 am    Not to exceed 15 cases

10:00 am - 11:59 am    Not to exceed 15 cases

## **Criminal Matters - Arraignments – In-Custody**

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Until further notice of the Court, all in-custody arraignments will be held at 1:00 p.m. on Monday and Friday of each week. Wednesday arraignments remain temporarily suspended. Defendants held in custody will not be transported to the Courthouse unless required by statute/constitution. Defendants shall appear by video.

## **Criminal Matters - Department 5 Prison Matters**

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Six additional calendar dates are added to Department 5. The additional dates are:

July 9<sup>th</sup>, 10<sup>th</sup>  
August 6<sup>th</sup>, 7<sup>th</sup>  
September 3<sup>rd</sup>, 4<sup>th</sup>

The Court is invoking Emergency Rule of Court, Rule 3, and establishing remote appearance via Zoom with Department 5 matters. The Hall of Justice in Susanville is the location where the Judicial Officer, Clerk and Court Reporter will be calling the calendar. The Courtroom is open to the public subject to social distancing. The Prosecutor, Defendant and Counsel are to appear remotely via Zoom. Any party to a proceeding, including a subpoenaed party, who chooses to appear by Zoom must give the Court a minimum of two (2) court days' notice so the Court may approve the request and send a Zoom invitation. Counsel regularly appearing in Department 5 are not subject to prior notice as the Court is aware of their ongoing Zoom appearance before the Court.

## **Criminal Matters - Traffic Trials**

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Wednesday	8:30 am – 9:29 am	No more than 5 cases
	9:30 am – 10:29 am	No more than 5 cases
	10:30 am – 11:29 am	No more than 5 cases

## **Failure To Pay / Failure To Appear**

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Failure to Pay / Failure to Appear calendars are to resume beginning June 24, 2020 as follows:

Failure to Pay	10:00 am
Failure to Appear	11:00 am

Requests to pull matters out of collections are to be set in Department 2 on the first Monday of each month at 3:00 pm.

## **Small Claims**

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Small Claims hearings are to resume beginning June 2, 2020 as follows:

2:30 pm – 3:29 pm      No more than 2 cases

3:30 pm – 4:30 pm      No more than 2 cases

No more than 4 matters to be set per small claims date.

## **Family Law Status Conference – Department 2**

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Family Law Status Conferences are to resume beginning July 8, 2020 as follows:

First Wednesday of each month at 3:00 pm.

Not to exceed 20 cases per calendar.

## **Self Help Center**

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The Self Help Center shall remain closed to in-person assistance until further notice. Self-help staff will assist members of the public via email and telephone only. (530) 208-9488. Email: [andrew.haut@lassencourt.ca.gov](mailto:andrew.haut@lassencourt.ca.gov)

## **Child Custody Recommending Counseling (CCRC)**

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CCRC shall remain closed to in-person assistance between March 23, 2020 to April 10, 2020. CCRC will assist members of the public via Email and telephone only. (530) 260-6074. Email: [mediation@lassencourt.ca.gov](mailto:mediation@lassencourt.ca.gov)

## **Courthouse and Courtroom Access**

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As a general principal, the Lassen County Superior Court acknowledges and endorses the well-established presumption in favor of universal access to the courts, and the rights of the public and press to attend both civil and criminal trials. It also recognizes, however, that access is not absolute and may be limited where there is a compelling interest that cannot be achieved through less restrictive means. (*Globe Newspaper Co. v. Superior Court* (1982) 4657 U.S. 596, 607)

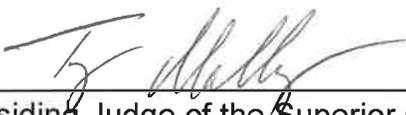
In the particular circumstances attendant to the COVID-19 pandemic, including but not limited to state and county orders addressing COVID-19, the Court expressly finds that matters of public health and safety and curtailing the spread of a virus compels restrictions on the public's physical access to the Courthouse to observe court proceedings.

Access to a courtroom is limited and preference will be given to actual parties to a matter or individuals with a matter on calendar that day. Such individuals include: the prosecutor, counsel, plaintiffs, defendants, victims, a member of the victim's family, a victim investigator, support person, law enforcement, a county or state employee, a member of a Native American in a dependency or guardianship proceeding, or other person who has a legal obligation to appear in a proceeding including trial jurors, a member of the media and persons who can show good cause. The Sheriff may further limit access to the courtroom pursuant to Penal Code § 409.5.

All orders not in conflict with this order continue to remain in full force and effect.

IT IS SO ORDERED.

Dated: May 21, 2020

  
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Presiding Judge of the Superior Court of Lassen